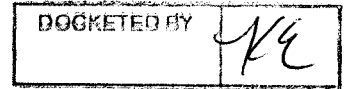




BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission
DOCKETED

APR 22 2016



COMMISSIONERS

DOUG LITTLE – Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

IN THE MATTER OF THE APPLICATION OF
CHARLES FORTIER dba A BETTER PAYPHONE
CO. TO DISCONTINUE THE PROVISION OF
CUSTOMER OWNED PAY TELEPHONE
SERVICES IN ARIZONA.

DOCKET NO. T-20447A-16-0042

DECISION NO. 75529

ORDER

Open Meeting
April 12 and 13, 2016
Phoenix, AZ

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission (“Commission”) finds, concludes, and orders that:

* * * * *

FINDINGS OF FACT

1. On September 21, 2006, the Commission issued Decision No. 68967, approving Charles Fortier dba A Better Payphone Co.’s (“Fortier” or “Company”) application for a Certification of Convenience and Necessity (“CC&N”) to provide customer owned pay telephone (“COPT”) services within the State of Arizona.

2. On February 3, 2016, Fortier filed an application with the Commission requesting to cancel its CC&N to provide COPT telecommunications services within the State of Arizona. The application indicated that the Company no longer provides COPT services in the State of Arizona and that Fortier is authorized to file the application on behalf of the Company.

3. On March 3, 2016, the Commission’s Utilities Division (“Staff”) filed a Staff Report in this matter, recommending approval of the Company’s application. According to Staff, Fortier indicated that he waived his right to notice and a hearing in order to cancel the CC&N.

4. Staff states that the Commission’s Consumer Services Section reported that no

complaints had been filed against the Company from January 1, 2013, to February 10, 2016. Further, Staff states that the most recent Utilities Annual Report filed by Fortier was filed on June 19, 2015. Finally, Staff states that the Commission's Compliance Section indicated that Fortier is in compliance.

5. Staff recommends approval of Fortier's application to cancel its CC&N and states that upon cancellation, the Company will no longer be subject to the filing requirements set forth in Decision No. 68987.

6. Staff's recommendation to approve Fortier's application for cancellation of its CC&N to provide COPT telecommunications services within the State of Arizona is reasonable and should be adopted.

CONCLUSIONS OF LAW

1. Charles Fortier dba A Better Payphone Co. is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281, 40-282 and 40-285.

2. The Commission has jurisdiction over Charles Fortier dba A Better Payphone Co. and the subject matter of the application.

3. The cancellation of Charles Fortier dba A Better Payphone Co.'s CC&N to provide COPT services in Arizona is in the public interest.

4. Charles Fortier dba A Better Payphone Co. waives its right to notice and a hearing in this matter.

5. Staff's recommendations are reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that Charles Fortier dba A Better Payphone Co.'s Certificate of Convenience and Necessity granted in Decision No. 68987 (September 21, 2006) to provide customer owned pay telephone services in Arizona is hereby canceled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

EXCUSED
COMM. STUMP

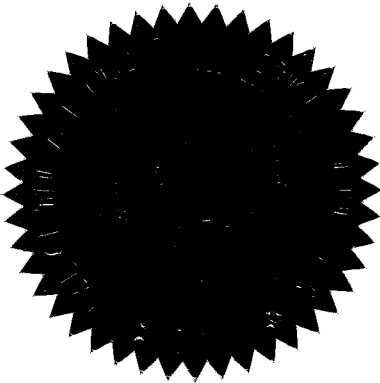

CHAIRMAN

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 22nd day of April 2016.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

BS:rt

1 SERVICE LIST FOR:

CHARLES FORTIER dba A BETTER PAYPHONE CO.

2 DOCKET NO.:

T-20447A-16-0042

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